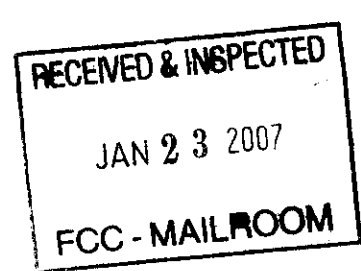


CGB-CC-0658



Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th St. SW
Washington, DC 20554

JAN 23 2007

FCC - MAILROOM

Petition for Exemption from Closed Captioning / Undue Burden 79.1(f)

D.S.T.V.'s local community consists of Auburn and Opelika Al. which is Lee County Alabama. D.S.T.V. was founded in Dec. 2002. The mission of D.S.T.V. is to provide local information on the music business and to educate the youth that would like to persue this type of career in the near future.

D.S.T.V. represents education on the industry. We travel from state to state and speak with successful knowledgible engineers, or artist etc. We also do community spotlights and hold non-profit seminars based on the music industry in which we air on our program. By reaching out to the community our program is greatly appreciated because in the state of Alabama we have no music industry so inturn we provide an inside look.

Each episode is only 28:30 min. and would air on Saturday mornings at 1:05 am. All producers are volunteers who want to learn about television production (non-profit). The demographic we have attained over the years would be of all nationalities, both genders ages 12-55.

For the reasons set forth below D.S.T.V. herby request an Undue Burden Exemption from the closed captioning rules for D.S.T.V. pursuant to 79.1(f) of the Commissions rules.

From our dilligent research the cost of closed

captioning ranges from \$300.00 to \$500.00 per 28:30 episode. Closed Captioning software \$1500.00.

To produce D.S.T.V. all interns are from universities and volunteers donate their time and gain knowledge on how the television field operates. Each episode for such a late night program will cost only \$75.00 per episode which if aired every week equals \$3900.00 per year. Closed Captioning at an additional \$400.00 per 28:30 min. episode would more than quadruple the cost to air the program. We would then go from a budget of only \$3900.00 a year to \$24,000.00 per year in expenses which is an increase of over 400%. By our focus being based on education of the industry we don't generate such revenue, which would make it impossible to produce our program which would have a negative effect on our community. Our program has no repeat value.

We have made several efforts to solicit captioning assistance from our local networks, and were then told that this situation is considered an Undue Burden, which is why we are asking for your support. We have contacted all of our areas video production companies and networks: 1) Alerion Films INC. (334)821-6808 also 2) Mediaassociates (334)749-2948 and 3) W.S.W.S (334)745-0066 none of these companies offered such services, we were then referred to companies that are thousands of miles out of town, which would then incorporate shipping and handling charges which would drive our earlier yearly quote of expenses even higher. We are mainly a nonprofit

organization and our sole purpose is to provide quality programming and to educate the youth on the industry and also to provide broadcast experience to college interns and to teach them the day to day functions of a television program. We have no repeat value and are mainly non profit.

We at D.S.T.V. feel that the local non-news exemption to the closed captioning applies also to D.S.T.V. as noted above, the program is produced locally and distributed locally, and the episodes are of local public interest. The episodes are not news, they do not have repeat value, and electronic newsroom technique is not available. Notwithstanding the applicability of the exemption, we have filed this petition in an abundance of caution and for the purpose of establishing certainty.

As shown above by this petition, the Commission should grant a waiver of closed captioning requirements in this case, because requiring closed captioning in this case would create an Undue Burden. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of significant difficulty and expense of providing closed captioning, a waiver under 79.1(f) is warranted. If more information is needed, please contact me at the address below.

Respectfully submitted,

D.S.T.V.

Duval Robinson

Duval Robinson

2628 Lee Rd. 84

Waverly, AL 36879

(334)887-9390

1/20/07

I ,Duval Robinson ,am the producer of D.S.T.V. and have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of D.S.T.V. in this matter and upon information and belief,believe the statements regarding our organization and D.S.T.V. to be true and accurate.

D.S.T.V.

Duval Robinson
1/20/07